

# **SUMF EXHIBIT 5**

## **EXHIBIT 6 OF DR. LUIGI WARREN'S NOVEMBER 16, 2018 DEPOSITION**



# Children's Hospital Boston

— Children's Hospital Boston —

Office of General Counsel  
300 Longwood Avenue  
Boston, Massachusetts 02115  
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March 22, 2011

## Via Overnight Mail

Luigi Warren  
157 Sixth St, #605  
Cambridge, MA 02142

Dear Mr. Warren:

I represent Immune Disease Institute (IDI). It is my understanding that you were a full time employee at IDI from November 2007 to June 2010. During this time your position was as Research Fellow in the lab of Dr. Derrick Rossi which focused on stem cells, aging, and cell reprogramming methods.

On May 20 2010, as required under IDI policies, Dr. Rossi submitted an invention disclosure regarding "Sustained Polypeptide Expression from Modified RNAs and Uses Thereof" (the "Technology"). This invention disclosure identified you as an inventor on the Technology.

IDI filed an initial provisional application on April 16, 2010 and you signed the assignment form relating to that application on August 30, 2010. On November 5, 2010, the article "Highly efficient reprogramming to pluripotency and directed differentiation of human cells with synthetic modified mRNA" with you as first author was published in the journal *Cell Stem Cell*.

Since that time, IDI has filed an additional provisional patent application to ensure the intellectual property coverage included the additional data that was requested by the journal reviewers and included in that publication. Currently, IDI is filing a permanent application in the US and certain foreign countries. IDI will continue to take all actions necessary to protect this intellectual property. This activity requires your ongoing cooperation.

IDI and Dr. Rossi believe this Technology to have significant value to both the research and clinical community. IDI is obligated to both protect the technology but also to ensure that it is used to benefit the public good. IDI has been and will continue to aggressively



pursue both goals. In furtherance of this goal, IDI has entered into an exclusive license arrangement with a company, Moderna Therapeutics, Inc., with the goal of ensuring that the Technology is effectively commercialized. I understand that you are interested in learning additional information about this licensing arrangement. IDI has informed you that upon executing a confidentiality agreement, IDI will provide you with such information.

On February 11, 2011, Mr. Ryan Dietz, Director, Office of Technology, sent to you via e-mail an assignment form pertaining to the second provisional application and requested that you sign and return the assignment form. Over the next several weeks, there has been several e-mail communications regarding the Technology, its current status, and your willingness to sign the assignment form.

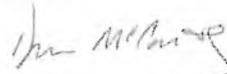
I understand that on Friday, March 18, 2011, you sent Mr. Dietz an e-mail informing him that you were refusing to sign the assignment form.

Please be advised that you are obligated under the policies of IDI to cooperate to the fullest extent in patent prosecution. IDI's Research and Technology Development Policy is enclosed. This policy benefits you (and the other inventors), as well as IDI, since under these policies, the inventors receive a portion of royalties paid to IDI.

I enclose the assignment form for your execution. Should you continue to refuse to sign the document, IDI will take all legal measures available to it to protect the Technology and ensure it is effectively commercialized.

Please return the executed document to my attention no later than Monday, March 28<sup>th</sup>. If you have engaged legal counsel, please request that he/she be in direct contact with me no later than this Friday, March 25.

Best Regards,



Dianne McCarthy  
Chief Counsel for Research Affairs

Enclosure